

HOUSE No. 3779

Text of an amendment recommended by the committee on Ways and Means to the Senate Bill relating to the improvement of Route 2, Crosby's Corner Interchange, in the towns of Lincoln and Concord (Senate, No. 2022).

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

The Committee on Ways and Means recommends that the bill be amended by striking out all after the enacting clause and inserting in place thereof the following:-

1 SECTION 1. The Massachusetts Department of Transportation may acquire certain parcels of
2 land and easements in certain parcels of land from the town of Concord. Those parcels shall be
3 diverted from a conservation use to a highway use upon acquisition by the department,
4 notwithstanding any conservation restriction. The parcels which may be acquired are shown on
5 a plan comprised of 2 sheets, entitled “The Commonwealth of Massachusetts Plan of Land in the
6 Town of Concord Middlesex County Article 97 Property” dated June 22, 2011, (Project File No.
7 602984). This plan shall be kept on file with the chief engineer of the highway division of the
8 Massachusetts Department of Transportation. The Massachusetts Department of Transportation
9 may acquire:

10 (a) Parcel 9-8 for highway widening purposes. Parcel 9-8 is a parcel of land now or
11 formerly owned by the town of Concord, held for conservation purposes, adjoining the northerly

location line of the October 10, 1933, State Highway Layout (Layout No. 3049) of the Concord Turnpike (Route 2) and shown on the plan, and bounded and described as follows: beginning at a point offset to the state baseline at station 17+54.47, 50.00 feet right on the aforesaid October 10, 1933, State Highway Layout Line; thence continuing northeasterly along the aforesaid October 10, 1933, State Highway Layout to a point by a bearing N65°07'13"E and 143.09 feet distant; thence northwesterly by land now or formerly of the Commonwealth of Massachusetts to a point by a bearing N45°40'50"W and 9.65 feet distant on the Proposed State Highway Layout Line (Layout No. 7964) at a point bearing N24°52'46"W and 59.02 feet distant right from station 16+14.80 of the state baseline of said Concord Turnpike (Route 2); thence continuing southwesterly along aforesaid Proposed Layout Line by a bearing S60°50'08"W and 33.72 feet distant; thence along the aforesaid Proposed Layout on a radius of 3927.12 feet to the left and 106.24 feet distant to the point of beginning; containing about 596 square feet.

(b) An easement in Parcel 9-D-1 to construct a wildlife crossing outlet, headwall, drainage pipe and outlet, treatment swale, and to perform slope work and other incidental work in connection with those uses and consisting of the right to enter upon the parcel at any time to construct slopes of excavation and embankment and to maintain the structures and slopes. Parcel 9-D-1 is a parcel of land now or formerly owned by the town of Concord and held for conservation purposes, adjoining the northerly location line of the October 10, 1933, State Highway Layout (Layout No. 3049) of the Concord Turnpike (Route 2) and shown on the plan, and bounded and described as follows: beginning at a point offset to the state baseline at station 19+75.00 and 50.00 feet distant right on the aforesaid October 10, 1933, State Highway Layout Line; thence northeasterly along said October 10, 1933, State Highway Layout Line to a point by a bearing N65°07'14"E and 220.54 feet distant on the aforesaid Proposed State Layout Line

(Layout No. 7964); thence along the Proposed State Layout Line (Layout No. 7964) to a point by a radius of 3927.12 feet to the right and 106.24 feet distant; thence along the aforesaid Proposed Layout by a bearing N60°50'08"E and 33.72 feet distant; thence northwesterly by land now or formerly of the Commonwealth of Massachusetts to a point by a bearing N45°40'50"W and 46.30 feet distant; thence to a point by a bearing S65°07'14"W and 294.78 feet distant; thence by a bearing S18°14'15"W and 71.65 feet distant to the point of beginning; containing about 16,623 square feet.

(c) An easement in Parcel 9-TE-6 consisting of the right to enter upon the parcel at any time during the effective period of the easement to accomplish the necessary work within the parcel, including constructing slopes of excavation and embankment and to perform any other necessary incidental construction; provided, however that the easement in Parcel 9-TE-6 shall terminate 5 years from the date of recording the order of taking for this parcel. Parcel 9-TE-6 is a parcel of land now or formerly owned by the town of Concord and held for conservation purposes, adjoining the northerly location line of the 1966 State Highway Layout (Layout No. 5637) of the Concord Turnpike (Route 2) and shown on the plan, and bounded and described as follows: beginning at a point offset to the state baseline at station 19+75.00 and 50.00 feet distant right on the aforesaid 1966 State Highway Layout Line (Layout No. 5637); thence to a point by a bearing N18°14'15"E and 71.65 feet distant; thence to a point by a bearing N65°07'14"E and 294.78 feet distant; thence northwesterly by land now or formerly of the Commonwealth of Massachusetts to a point by a bearing N45°40'50"W and 13.66 feet distant; thence to a point by a bearing S66°07'11"W and 286.81 feet distant; thence to a point by a bearing S18°14'15"W and 62.62 feet distant; thence to a point by a bearing S69°19'27"W and 133.13 feet distant; thence to a point by a bearing S61°54'08"W and 175.98 feet distant on the aforesaid 1966 State Highway

Layout Line (Layout No. 5637); thence southwesterly along said 1966 State Highway Layout Line by a bearing $S85^{\circ}57'19''W$ and 11.93 distant; thence along said 1966 State Highway Layout Line by a bearing $N69^{\circ}05'35''E$ and 288.69 distant to the point of beginning; containing about 10,868 square feet.

SECTION 2. The Massachusetts Department of Transportation may acquire certain parcels of land or easements in certain parcels of land from the town of Lincoln. Those parcels shall be diverted from a conservation use to a highway use upon acquisition by the department, notwithstanding any conservation restriction. The parcels which may be acquired are shown on a plan comprised of 3 sheets, entitled "The Commonwealth of Massachusetts Plan of Land in the Town of Lincoln Middlesex County Article 97 Property", dated June 22, 2011 (Project File No. 602984). This plan shall be kept on file with the chief engineer of the highway division of the Massachusetts Department of Transportation. The Massachusetts Department of Transportation may acquire:

(a) Parcel 7-15-T to construct a service road and slope embankments. Parcel 7-15-T is a parcel of land now or formerly owned by the town of Lincoln, adjoining the southerly location line of the January 17, 1933, State Highway Layout (Layout No. 2970) of the Cambridge Turnpike (Route 2) and shown on the plan, and bounded and described as follows: beginning at a point offset to the state baseline at station 108+26.61 and 50.00 feet distant left on the aforesaid January 17, 1933, State Highway Layout Line; thence along said January 17, 1933, State Highway Layout Line to a point by a radius of 6530.00 feet and 13.47 feet distant; thence continuing along aforesaid Layout Line to a point by a bearing $N58^{\circ}58'43''W$ and 249.58 feet distant; thence southwesterly by land now or formerly of Bruce Repko and Kathleen K. Brillhart to a point by a bearing $S37^{\circ}31'17''W$ and 20.41 feet distant to the Proposed Town Layout Line

(Layout No. 7963); thence continuing along aforesaid Proposed Town Layout on a radius of 1617.43 feet to the right and 38.94 feet distant; thence continuing along aforesaid Proposed Town Layout to a point by a bearing $S33^{\circ}15'18''W$ and 3.27 feet distant; thence continuing along aforesaid Proposed Town Layout to a point by a bearing $S56^{\circ}44'42''E$ and 62.35 feet distant; thence continuing along aforesaid Proposed Town Layout on a radius of 1666.65 feet to the left and 64.97 feet distant; thence continuing along aforesaid Proposed Town Layout to a point by a bearing $S58^{\circ}58'43''E$ and 85.85 feet distant; thence continuing along aforesaid Proposed Town Layout to a point on the property line of land now or formerly of John P. Neri and Ingrid Neri on a radius of 6520.20 feet to the right and 54.73 feet distant; thence northwesterly by land now or formerly of John P. Neri and Ingrid Neri along a bearing $N24^{\circ}13'44''W$ and 27.43 feet distant to the point of beginning; containing about 7,623 square feet.

(b) An easement in Parcel 7-W-9-T to construct a retaining wall and perform other incidental work in connection with the construction of the retaining wall and consisting of the right to enter upon the land at any time to construct slopes of excavation and embankment on the land and to maintain the structures and slopes. Parcel 7-W-9-T is a parcel of land now or formerly owned by the town of Lincoln, adjoining the southerly location line of the Proposed Town Layout Line (Layout No. 7963) and shown on the plan, and bounded and described as follows: beginning at a point offset to the state baseline at station 110+92.07 and 70.27 feet distant left; thence southwesterly by land now or formerly of Bruce Repko and Kathleen K. Brilhart to a point by a bearing $S37^{\circ}31'17''W$ and 9.89 feet distant; thence to a point by a radius of 1607.59 feet to the right and 46.24 feet distant; thence to a point on the aforesaid Proposed Town Layout Line by a bearing $N33^{\circ}15'18''E$ and 6.60 feet distant; thence along the aforesaid

Proposed Town Layout Line by a bearing N56°44'42"W and 6.56 feet distant; thence along the aforesaid Proposed Town Layout Line by a bearing N33°15'18"E and 3.27 feet distant; thence along the aforesaid Proposed Town Layout Line on a radius of 1617.43 feet to the left and 38.94 feet distant to the point of beginning containing about 427 square feet.

(c) An easement in Parcel 7-D-3 to construct a drainage treatment basin and perform other incidental work in connection with that construction and consisting of the right to enter upon the land at any time to construct slopes of excavation and embankment on the land and to maintain the drainage treatment basin and slopes. Parcel 7-D-3 is a parcel of land shown on the plan, and bounded and described as follows: beginning at a point offset to the state baseline at station 107+84.78 and 78.42 feet distant left on the Proposed Town Layout Line (Layout No. 7963); thence along the aforesaid Proposed Town Layout Line on a radius of 6520.20 feet to the left and 54.73 feet distant; thence continuing along the aforesaid Proposed Town Layout Line to a point by a bearing N58°58'43"W and 85.85 feet distant; thence continuing along the aforesaid Proposed Town Layout Line on a radius of 1666.65 feet to the right and 64.97 feet distant; thence continuing along the aforesaid Proposed Town Layout Line to a point by a bearing N56°44'42"W and 55.79 feet distant; thence to a point by a bearing S33°15'18"W and 6.60 feet distant; thence to a point on land now or formerly owned by Bruce Repko and Kathleen K. Brillhart by a radius of 1607.59 feet to the left and 46.24 feet distant; thence southwesterly by land now or formerly of Bruce Repko and Kathleen K. Brillhart to a point by a bearing S37°31'17"W and 118.11 feet distant; thence to a point by a bearing S44°39'24"E and 265.18 feet distant; thence to a point by a bearing N42°24'30"E and 172.16 feet distant; thence to a point on land now or formerly owned by John P. Neri and Ingrid Neri by a bearing S58°58'43"E and 52.73 feet distant; thence northerly by land now or formerly of John P. Neri and Ingrid Neri

by a bearing N24°13'44"W and 27.43 feet distant to the point of beginning; containing about 42,317 square feet.

(d) An easement in Parcel 7-TE-44 to enter upon the land at any time during the effective period of the easement to accomplish the necessary work within the parcel, including constructing slopes of excavation and embankment and to perform any other necessary incidental construction; provided, however, that the easement shall terminate 5 years from the date of recording the order of taking for this parcel. Parcel 7-TE-44 is a parcel of land now or formerly owned by the town of Lincoln, adjoining the northerly location line of the January 17, 1933, State Highway Layout (Layout No. 2970) of the Cambridge Turnpike (Route 2) and shown on the plan, and bounded and described as follows: beginning at a point offset to the state baseline at station 120+01.02 and 50.00 feet distant right on the aforesaid January 17, 1933, State Highway Layout Line; thence southeasterly along said January 17, 1933, State Highway Layout Line by a bearing S58°58'43"E and 205.87 feet distant; thence to a point by bearing N31°01'17"E and 36.09 feet distant; thence to a point by bearing N58°58'43"W and 211.79 feet distant; thence southwesterly by land now or formerly of Walter J. Burke, Trust by a bearing S21°42'21"W and 36.57 feet distant to the point of beginning; containing about 7,537 square feet.

(e) An easement in Parcel 7-D-1 to construct a drainage treatment swale and perform other incidental work in connection with that construction and consisting of the right to enter upon the land at any time to construct slopes of excavation and embankment on that land and to maintain the slopes. Parcel 7-D-1 is a parcel of land now or formerly owned by the town of Lincoln, adjoining the northerly location line of the January 17, 1933, State Highway Layout (Layout No. 2970) of the Cambridge Turnpike (Route 2) and shown on the plan, and bounded

and described as follows: beginning at a point offset to the state baseline at station 117+95.15 and 50.00 feet distant right on the aforesaid January 17, 1933, State Highway Layout Line; thence southeasterly along aforesaid January 17, 1933, State Highway Layout Line to a point by a bearing S58°58'43"E and 645.00 feet distant; thence to a point by bearing N31°01'17"E and 73.00 feet distant; thence to a point by bearing N58°58'43"W and 645.00 feet distant; thence by bearing S31°01'17"W and 73.00 feet distant to the point of beginning; containing about 47,085 square feet.

(f) An easement in Parcel 7-TE-45 to enter upon the land at any time during the effective period of the easement to accomplish the necessary work within the parcel, including constructing slopes of excavation and embankment and to perform any other necessary incidental construction; provided, however, that the easement shall terminate 5 years from the date of recording the order of taking for this parcel. Parcel 7-TE-45 is a parcel of land now or formerly owned by town of Lincoln, adjoining the northerly location line of the January 17, 1933, State Highway Layout (Layout No. 2970) of the Cambridge Turnpike (Route 2) and shown on the plan, and bounded and described as follows: beginning at a point offset to the state baseline at station 111+50.15 and 123.00 feet distant; thence to a point by bearing N56°46'05"W and 287.92 feet distant; thence to a point by bearing N63°57'48"W and 127.80 feet distant; thence to a point by bearing S58°58'43"E and 415.02 feet distant to the point of beginning; containing about 2,305 square feet.

(g) An easement in Parcel 7-TE-46 to enter upon said land at any time during the effective period of the easement to accomplish the necessary work within the parcel, including constructing slopes of excavation and embankment and to perform any other necessary incidental construction; provided, however, that the easement shall terminate 5 years from the date of

173 recording the order of taking for this parcel. Parcel 7-TE-46 is a parcel of land now or formerly
174 owned by the town of Lincoln, adjoining the northerly location line of the January 17, 1933,
175 State Highway Layout (Layout No. 2970) of the Cambridge Turnpike (Route 2) and shown on
176 the plan, and bounded and described as follows: beginning at a point offset to the state baseline
177 at station 111+50.15 and 50.00 feet distant right on the aforesaid January 17, 1933, State
178 Highway Layout Line; thence southeasterly along aforesaid January 17, 1933, State Highway
179 Layout Line by a bearing S58°58'43"E and 309.96 feet distant; thence along aforesaid January
180 17, 1933 State Highway Layout Line by a curve to the right of 6,630.00 feet radius and 31.01
181 feet distant; thence to a point by a bearing N31°01'17"E and 24.83 feet distant; thence to a point
182 by a bearing N58°58'43"E and 29.84 feet distant; thence to a point on the aforesaid January 17,
183 1933 State Highway Layout Line by a bearing S31°01'17"W and 25.04 feet distant; thence along
184 aforesaid January 17, 1933, State Highway Layout Line to a point by a curve to the right of
185 6,630.00 feet radius and 348.85 feet distant; thence northerly along land now or formerly owned
186 by the town of Lincoln to a point by a bearing N05°17'07"E and 19.12 feet distant; thence to a
187 point by bearing N56°03'31"W and 152.36 feet distant; thence to a point by bearing
188 N57°37'42"W and 184.17 feet distant; thence to a point by bearing N31°01'17"E and 12.09 feet
189 distant; thence to a point by bearing N58°58'43"W and 37.84 feet distant; thence to a point by
190 bearing S31°01'17"W and 12.41 feet distant; thence to a point by a radius of 6646.32 feet to the
191 left and 27.01 feet distant; thence to a point by bearing N58°58'43"W and 304.82 feet distant;
192 thence to a point by bearing N25°49'51"E and 56.83 feet distant; thence to a point by bearing
193 S31°01'17"W and 73.00 feet distant to the point of beginning; containing about 11,664 square
194 feet.

(h) An easement in Parcel 7-D-2 to construct a drainage outlet and perform other incidental work in connection with that construction and to enter upon the land at any time to construct slopes of excavation and embankment and to maintain the drainage outlet on this land. Parcel 7-D-2 is a parcel of land now or formerly owned by the town of Lincoln, adjoining the northerly location line of the January 17, 1933 State Highway Layout (Layout No. 2970) of the Cambridge Turnpike (Route 2) and shown on the plan, and bounded and described as follows: beginning at a point offset to the state baseline at station 108+09.40 and 50.00 feet distant right on the aforesaid January 17, 1933 State Highway Layout Line; thence along aforesaid January 17, 1933 State Highway Layout Line by a curve to the right of 6,630.00 feet radius and 29.84 feet distant; thence to a point by bearing N31°01'17"E and 25.04 feet distant; thence to a point by bearing N58°58'43"W and 29.84 feet distant; thence by bearing S31°01'17"W and 24.83 feet distant to the point of beginning; containing about 744 square feet.

SECTION 3. To ensure a no-net loss of lands protected for natural resource purposes for land diverted from conservation use to a highway use under sections 1 and 2, the parcels of land of the commonwealth as described in section 4 that are currently under the Massachusetts Department of Transportation's care, custody and control, shall divert from a highway purpose to a conservation purpose upon the completion of the construction of the Route 2, Crosby's Corner Interchange Safety Improvements project in the towns of Lincoln and Concord. The department shall convey to the town of Concord within 4 months of the completion of said project, all of the parcels as described in section 4; provided, however, that the parcels shall be conveyed with the restriction that such land be used only for conservation purposes and shall be held by the natural resources commission or equivalent conservation body of the town of Concord; and provided further, the parcels conveyed shall be delivered free of contaminants, construction materials and

all debris. The conveyance of said parcels by the department shall not be subject to sections 40E through 40J, inclusive, of chapter 7 of the General Laws or said chapter 7 as referred to in subsection (a) of section 44 of chapter 6C of the General Laws.

SECTION 4. The parcels to be conveyed to the town of Concord are shown on a plan comprised of 3 sheets, entitled "The Commonwealth of Massachusetts Plan of Land in the Town of Concord Middlesex County Proposed Conservation Land", (Project File No. 602984). This plan shall be kept on file with the chief engineer of the highway division of the Massachusetts Department of Transportation. The parcels referred to in section 3 shall include:

(a) Parcel 9-CR-1: a parcel of land now owned by the commonwealth, adjoining the southerly location line of the April 25, 1984, State Highway Layout (Layout No. 6626) of the Concord Turnpike (Route 2) and shown on the plan, and bounded and described as follows: beginning at a point offset to the 1933 state baseline at station 24+81.89 and 134.65 feet distant left on the aforesaid 1984 State Highway Layout Line; thence southwesterly along the Proposed State Highway Layout Line (Layout No. 7964) to a point by a bearing S74°21'33"W and 30.45 feet distant; thence southeasterly by land now or formerly of Robert M. Champey and Rebecca B. Champey to a point by a bearing S09°06'48"E and 505 feet more or less distant to a point on land now or formerly owned by the Commonwealth of Massachusetts; thence continuing along land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing S77°10'23"E and 75 feet more or less distant; thence to a point by a bearing N13°27'00"E and 159 feet more or less distant; thence to a point by a bearing N16°37'10"E and 72 feet more or less distant to a point on land now or formerly owned by Arthur J. Anthony and Elaine H. Anthony; thence continuing along the land now or formerly owned by Arthur J. Anthony and Elaine H. Anthony to a point by a bearing N14°44'57"E and 326 feet more or less distant; thence

northwesterly along the Proposed State Highway Layout Line (Layout No. 7964) to a point on the aforesaid 1984 State Highway Layout by a bearing $S73^{\circ}35'43''W$ and 19.98 feet distant; thence along the aforesaid 1984 State Highway Layout on a radius of 100.00 feet to the right and 102 feet more or less distant; thence continuing northwesterly along the aforesaid 1984 State Highway Layout by a bearing $N81^{\circ}04'08''W$ and 155 feet more or less distant to the point of beginning; containing about 90,141 square feet;

(b) Parcel 9-CR-2: a parcel of land now or formerly owned by the commonwealth, located on the southerly side of the October 10, 1933 State Highway Layout (Layout No. 3049) of the Concord Turnpike (Route 2) and shown on the plan, and bounded and described as follows: beginning at a point offset to the state baseline at station 15+47.96 and 109.27 feet distant left on the Proposed State Highway Layout Line (Layout No. 7964); thence continuing southwesterly along the Proposed State Highway Layout Line to a point by a bearing $S66^{\circ}01'12''W$ and 283.16 feet distant; thence southwesterly to a point by a bearing $S12^{\circ}57'14''W$ and 89.52 feet distant; thence continuing southeasterly to a point by a bearing $S83^{\circ}41'41''E$ and 115.00 feet distant on land now or formerly owned by Cheng Zhiyuan; thence continuing along land now or formerly owned by Cheng Zhiyuan to a point by a bearing $N43^{\circ}11'29''E$ and 268.56 feet distant on land now or formerly owned by the Commonwealth of Massachusetts; thence along land now or formerly owned by the Commonwealth of Massachusetts by a bearing $N45^{\circ}17'00''W$ and 27.21 feet distant to the point of beginning; containing about 27,108 square feet;

(c) Parcel 9-CR-3: a parcel of land now owned by the commonwealth, located on the southerly side of the October 10, 1933 State Highway Layout (Layout No. 3049) of the Concord Turnpike (Route 2) and shown on the plan, and bounded and described as follows: beginning at a

264 point offset to the state baseline at station 11+21.08 and 207.13 feet distant left on the Proposed
265 State Highway Layout Line (Layout No. 7964); thence along the aforesaid Proposed State
266 Highway Layout Line to a point by a bearing N51°54'21"W and 65.26 feet distant; thence along
267 the Proposed State Highway Layout Line to a point by a radius of 1620.40 feet and 330.01 feet
268 distant offset to the state baseline at station 14+77.90, 110.37 feet distant left; thence
269 southwesterly to a point by a bearing S66°01'12"W and 70.06 feet distant; thence continuing
270 southeasterly along land now or formerly owned by the Commonwealth of Massachusetts, land
271 now or formerly owned by Cheng Zhiyuan, land now or formerly owned by Marla T. Demba and
272 Stephen R. Demba, and land now or formerly owned by Jerold M. Deisenroth to a point by a
273 bearing S45°17'00"E 479.83 feet distant on the Town Line; thence along the Town Line to a
274 point by a bearing N43°04'46"E and 239.10 feet distant to the aforesaid Proposed State Highway
275 Layout Line; thence continuing along the Proposed State Highway Layout Line to a point by a
276 bearing N46°55'18"W and 94.37 feet distant; thence continuing along the Proposed State
277 Highway Layout Line by a bearing N02°05'32"W and 189.44 feet distant to the point of
278 beginning; containing about 122,822 square feet; and

279 (d) Parcel 9-CR-4: a parcel of land now owned by the commonwealth, located on the
280 northerly side of the October 10, 1933 State Highway Layout (Layout No. 3049) of the Concord
281 Turnpike (Route 2) and shown on the plan, and bounded and described as follows: beginning at a
282 point offset to the state baseline at station 11+68.28 and 100.85 feet distant right; thence to a
283 point by a bearing N24°52'46"W and 214.61 feet distant; thence to a point by a bearing
284 N66°59'19"E and 273.68 feet distant to land now or formerly owned by John H. Crosby and
285 Gayle M. Crosby; thence continuing along land now or formerly owned by John H. Crosby and
286 Gayle M. Crosby to a point by a bearing N41°34'37"W and 36 feet more or less distant; thence

to a point by a bearing $N21^{\circ}55'07''W$ and 64 feet more or less distant; thence to a point by a bearing $N00^{\circ}19'03''E$ and 132 feet more or less distant on the Cambridge Turnpike Layout Line; thence continuing along the Cambridge Turnpike Layout Line to a point by a bearing $N76^{\circ}14'47''W$ and 50 feet more or less distant on land now or formerly owned by John H. Crosby; thence continuing along land now or formerly owned by John H. Crosby to a point by a bearing $S11^{\circ}50'15''W$ and 200 feet more or less distant; thence to a point by a bearing $S71^{\circ}25'20''W$ and 165 feet more or less distant; thence to a point by a bearing $N80^{\circ}18'07''W$ and 103 feet more or less distant; thence along land now or formerly owned by John H. Crosby and Rosalie K. Crosby to a point by a bearing $N80^{\circ}15'20''W$ and 323 feet more or less distant; thence continuing along a variable line of land now or formerly owned by John H. Crosby and Rosalie K. Crosby a distance of 393 feet more or less to a point on land now or formerly owned by the Town of Concord; thence continuing southerly along land now or formerly owned by the Town of Concord to a point by a bearing $S47^{\circ}25'33''E$ and 276 feet more or less distant; thence continuing along land now or formerly owned by the Town of Concord (Conservation) to a point by a bearing $S45^{\circ}40'50''E$ and 197 feet more or less distant; thence to a point by a bearing $N65^{\circ}07'14''E$ and 370.87 feet distant; thence to a point by a bearing $S24^{\circ}52'46''E$ and 59.48 feet distant; thence by a bearing $N65^{\circ}07'14''E$ and 114.14 feet distant to the point of beginning; containing 273,118 square feet.

SECTION 5. To ensure a no-net loss of lands protected for natural resource purposes for land diverted from conservation use to a highway use under section 2, the parcels of land of the commonwealth as described in section 6 that are currently under the Massachusetts Department of Transportation's care, custody and control, shall divert from a highway purpose to a conservation purpose upon the completion of the construction of the Route 2, Crosby's Corner

Interchange Safety Improvements project in the towns of Lincoln and Concord. The department shall convey to the town of Lincoln within 4 months of the completion of said project, all of the parcels as described in section 6; provided, however, that the parcels shall be conveyed with the restriction that such land be used only for conservation purposes and shall be held under the jurisdiction of the conservation commission or equivalent conservation body of the town of Lincoln; and provided further, the parcels conveyed shall be delivered free of contaminants, construction materials and all debris. The conveyance of said parcels by the department shall not be subject to sections 40E through 40J, inclusive, of chapter 7 of the General Laws or said chapter 7 as referred to in subsection (a) of section 44 of chapter 6C of the General Laws.

SECTION 6. The parcels to be conveyed to the town of Lincoln are shown on a plan comprised of 2 sheets, entitled "The Commonwealth of Massachusetts Plan of Land in the Town of Lincoln Middlesex County Proposed Conservation Land", (Project File No. 602984). This plan shall be kept on file with the chief engineer of the highway division of the Massachusetts Department of Transportation. The parcels referred to in section 5 shall include:

(a) Parcel 7-CR-1: a parcel of land now owned by the commonwealth, located on the northerly side of the January 17, 1933 State Highway Layout (Layout No. 2970) of the Cambridge Turnpike (Route 2) and shown on the plan, and bounded and described as follows: beginning at a point offset to the state baseline at station 155+42.23 and 309.14 feet distant right on the Proposed State Highway Layout Line (Layout No. 7963); thence northeasterly along land now or formerly owned by Gregory L. Samarjian and Ann M. Samarjian to a point by a bearing N69°50'31"E and 241.48 feet distant on land now or formerly owned by William R. Cummings and Palma M. Cummings Trustees, thence along land now or formerly owned by William R. Cummings and Palma M. Cummings Trustees to a point by a bearing S22°47'34"E and 90.30

feet distant; thence continuing along the same property line to a point by a bearing $S24^{\circ}47'06''E$ and 67.26 feet distant; thence along land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing $N85^{\circ}47'44''W$ and 249.27 feet distant; thence continuing along land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing $S46^{\circ}00'28''W$ and 5.99 feet distant on the aforesaid Proposed State Highway Layout Line; thence continuing northwesterly along the Proposed State Highway Layout Line by a bearing $N38^{\circ}11'16''W$ and 59.77 feet distant to the point of beginning; containing 24,004 square feet;

(b) Parcel 7-CR-2: a parcel of land now owned by the commonwealth, located on the northerly side of the January 17, 1933 State Highway Layout (Layout No. 2970) of the Cambridge Turnpike (Route 2) and shown on the plan, and bounded and described as follows: beginning at a point offset to the state baseline at station 154+86.00 and 288.89 feet distant right on the Proposed State Highway Layout Line (Layout No. 7963); thence northwesterly along land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing $N46^{\circ}00'28''E$ and 5.99 feet distant; thence continuing along land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing $S85^{\circ}47'44''E$ and 249.27 feet distant on land now or formerly owned by William R. Cummings and Palma M. Cummings Trustees, thence along land now or formerly owned by William R. Cummings and Palma M. Cummings Trustees to a point by a bearing $S32^{\circ}12'47''E$ and 65.77 feet distant; thence along land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing $S46^{\circ}00'28''W$ and 257.97 feet distant on the Proposed State Highway Layout Line (Layout No. 7963); thence northwesterly along aforesaid Proposed State Highway Layout Line to a point by a bearing $N56^{\circ}20'17''W$ and 5.87 feet distant; thence continuing along the Proposed State Highway

Layout Line to a point by a radius of 1590.43 feet to the left and 51.41 feet distant offset to the state baseline at station 153+24.51, 132.91 feet distant left; thence continuing along the Proposed State Highway Layout Line to a point by a bearing N09°45'12"W and 193.30 feet distant; thence by a bearing N38°11'16"W and 34.81 feet distant to the point of beginning; containing 42,406 square feet. Parcel 7-CR-2 shall be subject to the permanent slope easement shown on the plan as Parcel 7-S-1 consisting of the right to enter upon said land at any time to construct thereon slopes of excavation and embankment and to maintain the slopes. Parcel 7-S-1 is bounded and described as follows: beginning at a point offset to the state baseline at station 152+67.24 and 132.06 feet distant right on the Proposed State Highway Layout Line (Layout No. 7963); thence northwesterly along aforesaid Proposed State Highway Layout Line to a point by a bearing N56°20'17"W and 5.87 feet distant; thence continuing along the Proposed State Highway Layout Line to a point by a radius of 1590.43 feet to the left and 51.41 feet distant offset to the state baseline at station 153+24.51, 132.91 feet distant left; thence continuing along the Proposed State Highway Layout Line to a point by a bearing N09°45'12"W and 55.00 feet distant; thence to a point by a bearing S53°45'19"E and 102.73 feet distant on land now or formerly owned by the Commonwealth of Massachusetts; thence along land now or formerly owned by the Commonwealth of Massachusetts by a bearing S46°00'28"W and 35.34 feet distant to the point of beginning; containing 2,948 square feet;

(c) Parcel 7-CR-3: a parcel of land now or formerly owned by the commonwealth, located on the northerly side of the January 17, 1933 State Highway Layout (Layout No. 2970) of the Cambridge Turnpike (Route 2) and shown on the plan, and bounded and described as follows: beginning at a point offset to the state baseline at station 152+67.24 and 132.06 feet distant right on the Proposed State Highway Layout Line (Layout No. 7963); thence

379 northeasterly along land now or formerly owned by the Commonwealth of Massachusetts to a
380 point by a bearing N46°00'28"E and 257.97 feet distant; thence along land now or formerly
381 owned by William R. Cummings and Palma M. Cummings Trustees and land now or formerly
382 owned by Lincoln Land Conservation Trust to a point by a bearing N47°24'33"E and 416.99 feet
383 distant; thence continuing along land now or formerly owned by the Lincoln Land Conservation
384 Trust to a point by a bearing S36°54'16"E and 100.00 feet distant; thence along land now or
385 formerly owned by the Commonwealth of Massachusetts to a point by a bearing S46°59'27"W
386 and 641.06 feet distant on the Proposed State Highway Layout Line (Layout No. 7963); thence
387 northwesterly along aforesaid Proposed State Highway Layout Line by a bearing N56°20'17"W
388 and 100.76 feet distant to the point of beginning; containing 66,292 square feet. Parcel 7-CR-3
389 shall be subject to the permanent slope easement shown on the plan as Parcel 7-S-2 consisting of
390 the right to enter upon said land at any time to construct thereon slopes of excavation and
391 embankment and to maintain the slopes. Parcel 7-S-2 is bounded and described as follows:
392 beginning at a point offset to the state baseline at station 152+67.24 and 132.06 feet distant right
393 on the Proposed State Highway Layout Line (Layout No. 7963); thence northeasterly along land
394 now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing
395 N46°00'28"E and 35.34 feet distant; thence to a point by a bearing S53°45'19"E and 100.42 feet
396 distant on land now or formerly owned by the Commonwealth of Massachusetts; thence along
397 land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing
398 S46°59'27"W and 30.83 feet distant on the Proposed State Highway Layout Line (Layout No.
399 7963); thence northwesterly along aforesaid Proposed State Highway Layout Line by a bearing
400 N56°20'17"W and 100.76 feet distant to the point of beginning; containing 3,260 square feet;

(d) Parcel 7-CR-4: a parcel of land now or formerly owned by the commonwealth, located on the northerly side of the January 17, 1933 State Highway Layout (Layout No. 2970) of the Cambridge Turnpike (Route 2) and shown on the plan, and bounded and described as follows: beginning at a point offset to the state baseline at station 151+66.52 and 129.15 feet distant right on the Proposed State Highway Layout Line (Layout No. 7963); thence northeasterly along land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing $N46^{\circ}59'27''E$ and 641.06 feet distant on land now or formerly owned by the Lincoln Land Conservation Trust; thence along the land now or formerly owned by the Lincoln Land Conservation Trust to a point by a bearing $S36^{\circ}47'26''E$ and 89.88 feet distant; thence along land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing $S47^{\circ}11'27''W$ and 610.67 feet distant on the Proposed State Highway Layout Line (Layout No. 7963); thence northwesterly along aforesaid Proposed State Highway Layout Line by a bearing $N56^{\circ}20'17''W$ and 89.63 feet distant to the point of beginning; containing 55,247 square feet. Parcel 7-CR-4 shall be subject to the permanent slope easement shown on the plan as Parcel 7-S-3 consisting of the right to enter upon said land at any time to construct thereon slopes of excavation and embankment and to maintain the slopes. Parcel 7-S-3 is bounded and described as follows: beginning at a point offset to the state baseline at station 151+66.52 and 129.15 feet distant right on the Proposed State Highway Layout Line (Layout No. 7963); thence northeasterly along land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing $N46^{\circ}59'27''E$ and 30.83 feet distant; thence to a point by a bearing $S56^{\circ}20'17''E$ and 89.74 feet distant on land now or formerly owned by the Commonwealth of Massachusetts; thence along land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing $S47^{\circ}11'27''W$ and 30.86 feet distant on the Proposed State

Highway Layout Line (Layout No. 7963); thence northwesterly along aforesaid Proposed State Highway Layout Line by a bearing N56°20'17"W and 89.63 feet distant to the point of beginning; containing 2,691 square feet;

(e) Parcel 7-CR-5: a parcel of land now or formerly owned by the commonwealth, located on the northerly side of the January 17, 1933 State Highway Layout (Layout No. 2970) of the Cambridge Turnpike (Route 2) and shown on the plan, and bounded and described as follows: beginning at a point offset to the state baseline at station 150+76.92 and 126.56 feet distant right on the Proposed State Highway Layout Line (Layout No. 7963); thence northeasterly along land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing N47°11'27"E and 610.67 feet distant on land now or formerly owned by the Lincoln Land Conservation Trust; thence along the land now or formerly owned by the Lincoln Land Conservation Trust to a point by a bearing S26°59'57"E and 30.86 feet distant; thence along land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing S39°51'17"W and 444.17 feet distant; thence continuing along land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing N57°59'33"W and 39.00 feet distant; thence continuing along land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing S32°00'27"W and 135.94 feet distant on the Proposed State Highway Layout Line (Layout No. 7963); thence northwesterly along aforesaid Proposed State Highway Layout Line by a bearing N56°20'17"W and 86.79 feet distant to the point of beginning; containing 35,983 square feet. Parcel 7-CR-5 shall be subject to the permanent slope easement shown on the plan as Parcel 7-S-4 consisting of the right to enter upon said land at any time to construct thereon slopes of excavation and embankment and to maintain the slopes. Parcel 7-S-4 is bounded and described as follows: beginning at a point offset to the state baseline

at station 150+76.92 and 126.56 feet distant right on the Proposed State Highway Layout Line (Layout No. 7963); thence northeasterly along land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing $N47^{\circ}11'27''E$ and 30.86 feet distant; thence to a point by a bearing $S56^{\circ}20'17''E$ and 78.70 feet distant on land now or formerly owned by the Commonwealth of Massachusetts; thence continuing along land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing $S32^{\circ}00'27''W$ and 30.01 feet distant on the Proposed State Highway Layout Line (Layout No. 7963); thence northwesterly along aforesaid Proposed State Highway Layout Line by a bearing $N56^{\circ}20'17''W$ and 86.79 feet distant to the point of beginning; containing 2,482 square feet.

(f) Parcel 7-CR-6: a parcel of land now or formerly owned by the commonwealth, located on the northerly side of the January 17, 1933 State Highway Layout (Layout No. 2970) of the Cambridge Turnpike (Route 2) and shown on the plan, and bounded and described as follows: beginning at a point offset to the state baseline at station 149+90.17 and 124.05 feet distant right on the Proposed State Highway Layout Line (Layout No. 7963); thence northeasterly along land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing $N32^{\circ}00'27''E$ and 135.94 feet distant; thence continuing along the land now or formerly owned the Commonwealth of Massachusetts to a point by a bearing $S57^{\circ}59'33''E$ and 39.00 feet distant; thence continuing along the land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing $N39^{\circ}51'17''E$ and 444.17 feet distant; thence along the land now or formerly owned by the Lincoln Land Conservation Trust to a point by a bearing $S36^{\circ}20'25''E$ and 318.33 feet distant; thence along land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing $S34^{\circ}23'12''W$ and 470.02 feet distant on the Proposed State Highway Layout Line (Layout No. 7963); thence northwesterly along

aforesaid Proposed State Highway Layout Line to a point by a bearing $N56^{\circ}03'36''W$ and 50.22 feet distant; thence continuing along aforesaid Proposed State Highway Layout Line by a bearing $N56^{\circ}20'17''W$ and 325.95 feet distant to the point of beginning; containing 177,607 square feet. Parcel 7-CR-6 shall be subject to the permanent slope easement shown on the plan as Parcel 7-S-5 consisting of the right to enter upon said land at any time to construct thereon slopes of excavation and embankment and to maintain the slopes. Parcel 7-S-5 is bounded and described as follows: beginning at a point offset to the state baseline at station 149+90.17 and 124.05 feet distant right on the Proposed State Highway Layout Line (Layout No. 7963); thence northeasterly along land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing $N32^{\circ}00'27''E$ and 30.01 feet distant; thence to a point by a bearing $S56^{\circ}20'17''E$ and 298.43 feet distant; thence to a point by a bearing $S45^{\circ}58'37''E$ and 80.12 feet distant on land now or formerly owned by the Commonwealth of Massachusetts; thence continuing along land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing $S34^{\circ}23'12''W$ and 15.84 feet distant on the Proposed State Highway Layout Line (Layout No. 7963); thence northwesterly along aforesaid Proposed State Highway Layout Line to a point by a bearing $N56^{\circ}03'36''W$ and 50.22 feet distant; thence continuing along aforesaid Proposed State Highway Layout Line by a bearing $N56^{\circ}20'17''W$ and 325.95 feet distant to the point of beginning; containing 10,754 square feet;

(g) Parcel 7-CR-7: a parcel of land now or formerly owned by the commonwealth, located on the northerly side of the January 17, 1933 State Highway Layout (Layout No. 2970) of the Cambridge Turnpike (Route 2) and shown on the plan, and bounded and described as follows: beginning at a point offset to the state baseline at station 146+11.06 and 111.84 feet distant right on the Proposed State Highway Layout Line (Layout No. 7963); thence

northeasterly along land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing N34°23'12"E and 470.02 feet distant on land now or formerly owned by the Lincoln Land Conservation Trust; thence along the land now or formerly owned by the Lincoln Land Conservation Trust to a point by a bearing S36°35'56"E and 90.00 feet distant; thence along land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing S33°51'17"W and 440.02 feet distant on the Proposed State Highway Layout Line (Layout No. 7963); thence continuing along aforesaid Proposed State Highway Layout Line by a bearing N56°03'36"W and 89.18 feet distant to the point of beginning; containing 39,617 square feet. Parcel 7-CR-7 shall be subject to the permanent slope easement shown on the plan as Parcel 7-S-6 consisting of the right to enter upon said land at any time to construct thereon slopes of excavation and embankment and to maintain the slopes. Parcel 7-S-6 is bounded and described as follows: beginning at a point offset to the state baseline at station 146+11.06 and 111.84 feet distant right on the Proposed State Highway Layout Line (Layout No. 7963); thence northeasterly along land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing N34°23'12"E and 15.84 feet distant; thence to a point by a bearing S45°58'37"E and 90.45 feet distant on the Proposed State Highway Layout Line (Layout No. 7963); thence northwesterly along aforesaid Proposed State Highway Layout Line to a point by a bearing N56°03'36"W and 89.18 feet distant to the point of beginning; containing 1,679 square feet;

(h) Parcel 7-CR-8: a parcel of land now owned by the commonwealth, located on the northerly side of the January 17, 1933 State Highway Layout (Layout No. 2970) of the Cambridge Turnpike (Route 2) and shown on the plan, and bounded and described as follows: beginning at a point offset to the state baseline at station 145+18.81 and 105.00 feet distant right

on the Proposed State Highway Layout Line (Layout No. 7963); thence northeasterly along land now or formerly owned by the Commonwealth of Massachusetts to a point by a bearing N33°51'17"E and 440.02 feet distant on land now or formerly owned by the Lincoln Land Conservation Trust; thence along the land now or formerly owned by the Lincoln Land Conservation Trust to a point by a bearing S36°35'56"E and 110.29 feet distant; thence along land now or formerly owned by Daniel C. Boynton and Janet K. Boynton to a point by a bearing S33°09'32"W and 403.31 feet distant on the Proposed State Highway Layout Line (Layout No. 7963); thence northwesterly along aforesaid Proposed State Highway Layout Line by a bearing N56°03'36"W and 108.83 feet distant to the point of beginning; containing 44,811 square feet. Parcel 7-CR-8 shall be subject to the permanent drainage easement shown on the plan as Parcel 7-D-12-T consisting of the right to enter upon said land at any time to construct thereon slopes of excavation and embankment and to maintain the structures and slopes. Parcel 7-D-12-T is bounded and described as follows: beginning at a point offset to the state baseline at station 144+71.82 and 100.45 feet distant right on the Proposed State Highway Layout Line (Layout No. 7963); thence northeasterly to a point by a bearing N33°56'24"E and 42.65 feet distant; thence to a point by a bearing S56°03'36"E and 39.37 feet distant; thence to a point by a bearing S33°56'24"W and 42.65 feet distant on the Proposed State Highway Layout Line (Layout No. 7963); thence northwesterly along aforesaid Proposed State Highway Layout Line by a bearing N56°03'36"W and 39.37 feet distant to the point of beginning; containing 1,679 square feet; and

(i) Parcel 7-CR-9: a parcel of land now owned by the commonwealth, located on the southerly side of the January 17, 1933 State Highway Layout (Layout No. 2970) of the Cambridge Turnpike (Route 2) and shown on the plan, and bounded and described as follows: beginning at a point offset to the state baseline at station 120+93.82 and 75.39 feet distant left;

539 thence southwesterly along land now or formerly owned by the Cassidy Family Realty Trust to a
540 point by a bearing $S6^{\circ}52'44''W$ and 39.18 feet distant; thence to a point by bearing
541 $S59^{\circ}49'59''W$ and 20.00 feet distant; thence to a point by bearing $S48^{\circ}13'47''W$ and 30.00 feet
542 distant; thence to a point by bearing $S02^{\circ}57'43''E$ and 57.00 feet distant; thence southwesterly
543 along land now or formerly owned by Hsu Bo Yee Leung Trust to a point by a bearing
544 $S19^{\circ}50'03''W$ and 11.23 feet distant; thence to a point by bearing $S60^{\circ}19'40''W$ and 27.63 feet
545 distant; thence to a point by bearing $S79^{\circ}00'15''W$ and 48.60 feet distant; thence to a point by
546 bearing $S89^{\circ}23'35''W$ and 17.93 feet distant; thence to a point by bearing $N51^{\circ}59'20''W$ and
547 11.85 feet distant; thence northeasterly along land now or formerly owned by the Town of
548 Lincoln to a point by a bearing $N06^{\circ}09'10''E$ and 21.27 feet distant; thence to a point by bearing
549 $N17^{\circ}24'56''W$ and 90.60 feet distant; thence northwesterly along land now or formerly owned
550 by Duong T. Tan and Karen K. Tan to a point by a bearing $N11^{\circ}58'30''W$ and 80.03 feet distant;
551 thence to a point by bearing $N35^{\circ}54'30''E$ and 20.00 feet distant; thence to a point by bearing
552 $S70^{\circ}30'40''E$ and 70.00 feet distant on the Proposed Town Layout Line; thence continuing along
553 the Proposed Town Layout Line to a point by a bearing $S59^{\circ}41'50''E$ and 32.45 feet distant;
554 thence continuing along the Proposed Town Layout Line to a point by bearing $N29^{\circ}57'33''E$ and
555 20.00 feet distant; thence continuing along the aforesaid Proposed Layout on a radius of 9.84 feet
556 to the right and 15.26 feet distant; thence continuing along the aforesaid Proposed Layout by a
557 bearing $S61^{\circ}12'43''E$ and 64.64 feet distant to the point of beginning; containing 24,671 square
558 feet.